

Preparation and Adoption of Compatibility Plans

PURPOSE OF COMPATIBILITY PLANS

As indicated in Chapter 1, the State Aeronautics Act (Public Utilities Code, Section 21670 et seq.) requires preparation of an airport land use compatibility plan for nearly all public-use airports in the state (Section 21675). This requirement applies regardless of whether a county chooses to establish and maintain an airport land use commission or to utilize the alternative process or county-specific exception provisions of the law.

Compatibility plans are the fundamental tool used by airport land use commissions in fulfilling their purpose of promoting airport land use compatibility. The law describes the purpose of these plans in essentially the same terms as it uses with respect to the purpose of the commissions themselves (Section 21675(a)). Specifically, compatibility plans have two purposes:

- To “provide for the orderly growth of each public airport and the area surrounding the airport within the jurisdiction of the commission...” and
- To “safeguard the general welfare of the inhabitants within the vicinity of the airport and the public in general.”

PREPARATION OF COMPATIBILITY PLANS

Responsibility for Plan Preparation

The entity having lead responsibility for compatibility plan preparation varies depending upon how the compatibility planning process is structured in a county.

- **Plans Prepared under ALUC Direction**—In counties which have an ALUC, compatibility plans are usually prepared either by the commission staff or by consultants under contract to the county or regional planning agency within which the commission operates. This approach generally

This chapter addresses:

- How compatibility plans are prepared;
 - What should be included in them; and
 - The process involved in their adoption.
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The State Aeronautics Act mostly refers to these documents as *comprehensive land use plans* or *CLUPs*, although the term *airport land use plan* is also used. These and other titles—for example, airport land use compatibility plan, airport land use policy plan, airport environs land use plan—are found among the plans prepared by the various county airport land use commissions. Regardless of the name, all are intended to serve the same purpose and must conform to the state law requirements. The generic term *compatibility plan* is primarily used in this *Handbook*.

gives the commission and its staff the most direct involvement in the plan's format and policies.

- **Plans Prepared for Multiple Purposes**—Other compatibility plans are developed as a component of larger planning studies conducted by agencies other than an ALUC. Examples of this process include compatibility plans prepared as part of a *master plan* for an individual airport or a *specific plan* for the portion of a community around an airport. Even though ALUCs do not have the lead role in the plan preparation under these circumstances, they retain the authority to modify or add to the compatibility plan if necessary. All of the essential elements of a compatibility plan must be included in the plan adopted by the ALUC. However, other elements not pertaining to compatibility planning matters may be omitted if appropriate.
- **Plans Prepared under Alternative Process**—A mandatory step in establishment of the alternative process is identification of the agency or agencies responsible for preparation of compatibility plans. One option is for the county or a regional agency to take the lead in plan preparation for all of the airports in the county. Other choices might be for either the entities which own the airports or the communities which are impacted to be assigned this responsibility for their respective airports.

Under Public Utilities Code Section 21670.1(c)(3), the Division of Aeronautics is required to review and approve the specific manner in which counties which elect to follow the alternative airport land use compatibility planning process intend to implement that process. Subsequently, the Division of Aeronautics has an implicit on-going responsibility to see that compatibility plans are prepared as required and adopted by the affected jurisdictions.

A 1994 addition to the Aeronautics Act requires that ALUCs "be guided by" information in the *Handbook* when formulating airport land use compatibility plans.

Information Resources

A variety of information resources are available to help ALUCs and their staffs with the process of preparing compatibility plans. Among the most important of these are the following:

- **ALUC Handbook**—One of the purposes of this *Handbook* is to serve as a source of information regarding compatibility plans and policies. Many of the problems and issues faced by ALUCs when preparing, using, and updating their plans are addressed herein.
- **State Aeronautics Staff**—The California Department of Transportation, Division of Aeronautics staff is available to respond to inquiries regarding state law, compatibility criteria, review procedures, and any other matters involving airport land use commissions.
- **Consultants**—Airport and land use planning consultants often provide services to ALUCs, including drafting of compatibility plans.
- **Other ALUCs**—The experience of other ALUCs is another valuable information resource. Copies of adopted plans generally can be obtained from individual commissions. Also, commission members and their staffs are usually willing to discuss particular issues which they have faced. The Division of Aeronautics maintains a list of contact persons and phone numbers for each of the airport land use commissions in the state.
- **Seminars and Workshops**—ALUC seminars and workshops are held periodically by the Division of Aeronautics and other organizations. These gatherings of airport land use commission members, staffs, and others

involved in airport land use planning facilitate the exchange of information about compatibility planning issues.

Funding for Plan Preparation

Obtaining funds with which to prepare and/or update compatibility plans is an on-going problem for the majority of ALUCs. Sources of funding which the commissions in various counties have drawn upon include:

- **State Funding**—The Department of Transportation has provided grants to local agencies for the preparation of many countywide compatibility plans. This funding has primarily come from California Aid to Airport Program (CAAP) grants which cover 90% of the cost of the plan preparation. The availability of CAAP grant funds for compatibility planning projects varies from year to year depending upon funding levels provided by the legislature and on prioritization guidelines established for airport-related projects by the California Transportation Commission. In addition to the CAAP grants, the state also provides a \$10,000 annual grant to each public-use general aviation airport in the state (except those designated as air carrier reliever airports). Some airport proprietors have applied these funds to preparation of compatibility plans.
- **FAA Funding as Part of an Airport Master Plan Study**—Another option for funding of a compatibility plan is as the land use component of an airport master plan. In this context, preparation of at least portions of the compatibility plan can be eligible for federal funding under the Federal Aviation Administration's Airport Improvement Program. A limitation of this funding source, however, is that it generally allows preparation of a compatibility plan for only a single airport rather than a plan which is countywide in scope.
- **Department of Defense Funding**—Funding for compatibility planning around military airports is potentially available through the Defense Department's Office of Economic Adjustment.
- **Local Funding as Part of Local Plan Preparation**—Some compatibility plans are prepared in conjunction with the preparation or updating of a community general plan or specific plan. Local general funds or other fund sources used for the community plan cover the incremental cost of the compatibility plan.
- **ALUC Fees**—A portion of the fees which ALUCs are permitted to collect for the purpose of conducting compatibility reviews can be allocated to amending or updating of a compatibility plan. ALUCs are not authorized to collect fees if they have not previously adopted a compatibility plan (Section 21671.5(f)).
- **Other Local Funds**—Other local fund sources for preparation of a compatibility plan include direct use of the general fund, airport-derived revenues (particularly at larger airports), and local transportation planning funds.

Preparation of master plans and layout plans for publicly owned airports is also eligible for state funding (through both CAAP grants and annual grants).

The state will assist local agencies with funding of the local share of FAA grants for airport and aviation purposes by contributing up to 5% of the federal grant amount.

SCOPE AND CONTENT OF COMPATIBILITY PLANS

When beginning a compatibility planning project, several decisions must be made regarding the scope of the plan. Issues to be considered include:

- Which airports are to be included (if the document is to cover more than one airport);
- The availability of master plans for each airport and the compatibility plan's relationship to these plans (particularly with regard to airport layout plans and activity forecasts);
- The types of airport impacts to be addressed;
- The extent of the geographic area to which the plan applies; and
- The types of projects to be reviewed and the process to be used in conducting the reviews.

These topics are addressed in the following subsections. A final subsection provides checklists of the essential and optional contents of a compatibility plan.

Scope of Airport Coverage

Perhaps most basic among compatibility plan scoping issues is to determine which airports the plan should address.

Types of Airports

The requirements as to which airports should have a compatibility plan are found in the law as follows:

- **Public-Use Airports**—A compatibility plan must be formulated for “each public airport” (that is, each airport served by a scheduled airline or operated for the benefit of the general public) within the jurisdiction of the commission (Section 21675(a)). This requirement is clearly applicable to all *existing* public-use airports. ALUCs, though, have also developed compatibility plans for *proposed* public airports.
- **Military Airports**—Commissions have the option of whether or not to develop a compatibility plan for any federal military airport in their jurisdiction (Section 21675(b)).
- **Airports in Adjacent Counties**—Although often overlooked, ALUCs should adopt a compatibility plan for the portion of any airport influence area which is located within its jurisdiction even if the airport itself is in an adjacent county. Typically, the county in which the airport is situated will take the lead in development of a compatibility plan and then request concurrence or adoption by other affected jurisdictions.
- **Special-Use Airports and Heliports**—The law does not address the question of compatibility planning for areas around special-use airports and heliports. Perhaps because of their limited activity and impacts, few ALUCs have prepared compatibility plans for these facilities. Nevertheless, because special-use airports and heliports require operating permits from the state, ALUCs have the authority to create compatibility plans for them.

An important distinction here is that the airport need not be publicly *owned* to necessitate preparation of a compatibility plan, just publicly *used*. See the Glossary for definitions of public-use versus other categories of airports.

As discussed in Chapter 1, another option is for both counties to jointly establish a separate ALUC for these “intercounty” airports. That commission would then be responsible for preparation of a compatibility plan for all of the airport's influence area.

A special-use airport or heliport is one which is not open to the general public, but for which the owner allows controlled access in support of commercial activities, public service operations, and/or personal use. Hospital heliports are a primary example of special-use facilities.

ALUCs may exercise the option not to do so, but should indicate that the reason is the lack of significant noise and safety compatibility concerns. Even in such instances, however, establishing limits on the heights of objects within the approaches to these facilities should be considered.

- **Exempt Facilities**—Airports and heliports which are exempt from state permit requirements do not require compatibility plans. These facilities include agricultural landing fields, seaplane landing sites, emergency-use facilities, and personal-use airports in unincorporated areas.

Separate versus Countywide Documents

Compatibility plan documents can be formatted to include only one airport or to cover all of the airports located within a commission's jurisdiction. Each of these two approaches has its advantages and disadvantages and neither is regarded as being superior to the other.

- **Individual Airport Plans**—Some ALUCs have separate compatibility plan documents for each of the airports within their jurisdiction. This approach allows the plan to focus on the specific issues relevant to the individual airport and its surrounding land uses and local jurisdictions. It is the format which normally results when the compatibility plan is prepared as an element of an airport master plan or local specific plan.
- **Countywide Plan**—Other commissions have prepared a single document in which the compatibility plans for each of the airports are collected. This format promotes consistency among the policies for all of the airports in the commission's jurisdiction. A disadvantage is that, especially for counties with many airports, the plan document can become unwieldy in size and much of it will be irrelevant to jurisdictions affected by only one airport. A variation on the countywide plan is to prepare one document containing introductory information, policies, and other material which apply countywide together with a set of separate documents which include maps and background data for each individual airport.

In addition to the above, some ALUCs have prepared brief summary documents with key policies and information on each airport individually.

Scope of Airport Planning: Relationship to Airport Plans

Another scoping consideration in the preparation of compatibility plans concerns the extent to which ALUCs can or should engage in *airport* planning (as opposed to *airport land use* planning). More specifically, the issue involves the relationship between a *compatibility plan* and a *master plan* or layout plan for the same airport. Two sections of the state law provide the framework for defining this relationship:

- First, as discussed in Chapter 1, Section 21674(e) explicitly states that ALUCs have no "jurisdiction over the operation of any airport."
- Second, Section 21675(a) dictates that a compatibility plan "shall include and shall be based on a long-range master plan or an airport layout plan, as determined by the Division of Aeronautics of the

The general public is often unclear as to the distinction between an *airport land use compatibility plan* and an *airport master plan*. The most fundamental difference is that primary responsibility for adoption of a compatibility plan rests with the ALUC, while responsibility for adoption of an airport master plan belongs to the entity which owns the airport. Additionally, the focus of a compatibility plan is on the land around an airport; the emphasis of an airport master plan normally is on property within the airport boundary.

The state law provision allowing an ALUC's compatibility plan to be based upon an airport layout plan, with the approval of the Division of Aeronautics, was added in 1990. The change was the result of a Riverside County court case (*City of Coachella v. Riverside County Airport Land Use Commission*, 210 CalApp.3d 1277) which voided a compatibility plan because it was not based upon an airport master plan as the law previously required.



For a compatibility plan to "be based on" an airport master plan, it must be consistent with the expectations of the airport proprietor with regard to the future development and use of the airport. Furthermore, the compatibility plan should indicate the version of the master plan upon which it is based.

Department of Transportation, that reflects the anticipated growth of the airport during at least the next 20 years."

The relationship between a compatibility plan and an airport master plan centers on two key pieces of information included in the master plan: the current and future airport layout; and the existing and projected airport activity. When these two components are up to date, it is a simple matter for that information to form the basis for compatibility planning.

However, a difficulty which frequently arises in preparation of a compatibility plan is that adopted airport master plans are outdated. Either they have become invalid because of changing conditions or they simply no longer extend the necessary 20 years into the future. In these circumstances, the available plans need to be updated—or, more precisely, *extended* farther into the future.

A caution with regard to updating of airport plans and forecasts for compatibility planning purposes, though, is that ALUCs must avoid assuming or suggesting that the layout or operation of the airport will change in a manner not anticipated by the entity responsible for the airport's operation. Assumptions regarding the fundamental *role* of the airport must remain as indicated in the adopted airport master plan or other policies of the airport proprietor. For example, the expected configuration of airport runways (length, approach type, lighting, etc.) must match what is shown in the master plan. Similarly, ALUCs cannot assume that an airport might someday have airline service or intensive usage by large corporate aircraft if such prospects are not anticipated in the master plan.

These limitations must be borne in mind even when the ALUC believes it has information that an airport's future role could result in more expansive development and activity characteristics than indicated by the master plan. The reverse situation can also sometimes occur: one in which the master plan is more optimistic about future expansion and growth of an airport than the ALUC believes to be realistic. In either case, the opportunity for the ALUC to register its concern is when the master plan is in the review and adoption process. Once the master plan has been officially adopted by the airport proprietor, the ALUC is obligated to rely upon the master plan's expectations and provide appropriate land use compatibility protection.

Airport Layout Plan

A compatibility plan should contain a drawing showing the locations of existing and proposed airport runways, runway protection zones, property boundaries, and any other features which have implications for land use compatibility. The drawing may be a formal airport layout plan prepared by the airport proprietor as part of an airport master plan or other planning process. Alternatively, it can be a more simplified drawing emphasizing the airport's fundamental features.

Many times, however, a current layout plan is not available. Either the airport proprietor has not kept it up to date or—particularly common for

small, privately owned facilities—no layout plan may have ever been prepared. In such instances, the ALUC may need to prepare or update the drawing in order to meet the needs of the compatibility plan. To again emphasize the point, though, it is not within the purview of an ALUC to add to or subtract from the *proposed* facilities shown in a locally adopted airport master plan or layout plan. ALUCs have no authority to adopt, let alone implement, a master plan for an airport—only the owner/operator of the airport can do that.

With respect to the requirements for Division of Aeronautics involvement in approval of airport plans for compatibility planning purposes (as required by Section 21675(a)), the practice has been as follows:

- **Adopted Master Plan Exists**—The Division of Aeronautics generally does not become involved when a long-range master plan has been adopted by the agency owning the airport and the plan is reasonably current. If the master plan is old, the layout plan contained in it may need to be updated to reflecting recent construction. Such updates should then be submitted to the Division of Aeronautics for approval. Another situation which sometimes arises is that an airport master planning process is being conducted concurrently with the preparation or updating of a compatibility plan. If the master plan is expected to propose airport development which could have airport compatibility implications, it may be advantageous for the compatibility plan to include policies which take into account the anticipated changes. However, the compatibility plan still needs to be based upon the master plan which is in effect.
- **Airport Layout Plan Available**—When a master plan does not exist or was never adopted by the airport owner, but an airport layout plan is available, the Division of Aeronautics will review the plan and any associated activity projections for currency and suitability for airport land use planning purposes. the Division of Aeronautics may suggest modifications to the plan if deemed necessary.
- **No Airport Plan Exists**—When no plan exists, the commission typically will need to prepare a simplified or diagrammatic airport layout drawing on which to base its land use compatibility plan. Such drawings need not be detailed. The only components essential to show are ones which may have off-airport compatibility implications—specifically: runways, runway protection zones, and airport property lines. Also, because lack of an airport layout plan mostly occurs only with regard to low-activity, often privately owned, airports for which few changes are anticipated, the plan merely needs to reflect the existing conditions. ALUCs should seek the assistance of the airport owner in obtaining data for preparing the necessary drawing. Written Division of Aeronautics approval of these substitute airport layout plans is necessary.

In any instance requiring a determination by the Division of Aeronautics, the ALUC staff or consultant should submit the alternative airport plans as early in the compatibility planning process as is practical. Any necessary revisions



ALUCs which have developed compatibility plans for airports not having an adopted master plan should make certain that the Division of Aeronautics has a current layout plan on file for those airports and should seek written Division of Aeronautics acceptance of that plan for compatibility planning purposes. ALUCs also are encouraged to read-opt the affected compatibility plans and indicate that these plans are based upon state-approved airport layout plans.

Also see the discussion under *Statutory and Practical Limitations* on ALUCs in Chapter 1.

to the airport plan can thus be taken into account before significant ALUC staff or consultant time is spent in the preparation of the compatibility plan.

Aviation Activity Forecasts

As noted above, the state ALUC statutes require a compatibility plan to have a time horizon of at least 20 years. Since the airport activity forecasts contained in airport master plans normally extend only 20 years, ALUCs will almost always need to review and extend the forecasts farther into the future. In so doing, though, several factors are important to consider.



ALUC planning assumptions regarding future aircraft activity at an airport must be consistent with the role of the airport as identified in an airport master plan adopted by the airport proprietor.

Most importantly, as previously stated, new forecasts must remain consistent with the role of the airport as envisioned by the airport proprietor. This caveat particularly applies when a master plan has been adopted for the airport. Forecasts must not be modified in a manner which presumes a future mix of aircraft or other operational characteristics significantly different from those in the plan adopted by the airport's owner/operator. Similarly, forecasts for airports which do not have a long-range master plan, or perhaps even a layout plan, need to be based on the existing airport development and patterns of usage unless facility improvements are known to be planned.

Secondly, the inherent uncertainties in aviation activity forecasts should be recognized. For airline airports, especially those in small or nonhub categories, the number of airline operations may change rapidly depending upon airline decisions and other factors. With general aviation airports, even relatively recent forecasts may not take into account the renewed growth which has been occurring in the industry, especially in the corporate aircraft segment. Even 20 years is probably beyond the time range that can be projected with a high degree of confidence. Anticipating what activity levels might ultimately occur is virtually impossible.

Thirdly, most airports presumably will remain in operation for more than 20 years. This factor combined with the characteristic uncertainty of forecasting suggests that, for the purposes of airport land use compatibility planning, using a high estimate of long-range activity levels is generally preferable to underestimating the future potential. This strategy especially applies with respect to assessment of noise impacts. Too low of a forecast may allow compatibility conflicts that cannot later be undone. On the other hand, activity projections must also be reasonable. An unrealistically high forecast may preclude otherwise appropriate uses of airport-vicinity land.

When current forecasts are not available from other sources, two options for forecast updating—each tied to an aspect of a master plan—are worth considering for the purposes of compatibility planning.

- **Extend Forecasts to 20+ Years**—One choice is to utilize available forecasts for an airport (from master plans or the state airport system plan) and extend them farther into the future. This can be done through extrapolation of the forecast trends or simply by adding a fixed percentage to the most long-range projection of total operations—say 50%, for example. In

Although this approach would seemingly result in much larger noise contours, the actual effect is relatively small. With all other noise modeling factors held constant, increasing the forecast activity levels by 50% adds only about 1.8 dB to the noise contours. Even a doubling of activity expands the contours by only 3.0 dB.

the latter case, the resulting activity level will be for an indefinite point in time that may be well beyond 20 years.

- **Airport Capacity**—Another alternative is to base an airport's noise impact contours on the operational capacity of the airport runway system. This approach is often appropriate at very busy airports in metropolitan areas. The capacity calculations can take into account any planned runway system improvements shown in an adopted airport master plan or layout plan. Reliance upon runway capacity as the basis for compatibility planning may also be reasonable for other airports. In such cases, however, consideration should be given to whether the corresponding activity level would be consistent with the airport's role and be supported by planned facilities in addition to runways. For example, at currently very-low-activity airports in outlying locations, an assumption that a capacity level of operations could some day be reached is likely to be unrealistic and inconsistent with the airport's role.

Scope of ALUC Compatibility Concerns

As noted in Chapter 1, the focus of ALUC compatibility concerns is clearly on broadly defined noise and safety impacts. Among other impacts related to airport activity, the two of potentially greatest consequence are air quality and ground access traffic. Typically, these impacts are issues only at large, primarily major airline, airports. Even at these airports, the manner in which land uses surrounding an airport can or should be restricted on the basis of such impacts is unclear. No ALUCs are known to have established compatibility policies addressing issues not directly related to noise and safety.

To the extent that issues other than noise and safety might arise and be a legitimate concern to ALUCs, it would be with regard to review of airport master plans and other development actions rather than land use development proposals. Under these circumstances, the issue of whether airport expansion would have adverse air quality or ground traffic impacts on surrounding land uses might reasonably be a subject for an ALUC to address if it so chooses.

The practical aspect of an ALUC becoming involved in other types of airport impacts is that the commission would have little established guidance from other sources upon which to base its development of review criteria. Lacking such criteria, the commission would have nothing against which to evaluate a proposed local plan, project, or other action. Given these circumstances, ALUCs would be well advised to generally avoid other types of airport compatibility issues at least until such time as standards evolve to show the connection between the other impacts and the two basic purposes for creation of ALUCs.

The two broad noise and safety categories of airport impacts both have individual components which should be considered in preparation of a compatibility plan.

Approaches to addressing these concerns are outlined in Chapter 3. Also, Part II of the *Handbook* contains an extended background discussion of noise and safety compatibility concepts and issues.

- **Noise Impacts**—Noise-related impacts fall into two general groups distinguishable on a geographic basis:
 - The most intensive and disruptive *noise* impacts are ones occurring within the cumulative noise level contours—measured in California in terms of Community Noise Equivalent Level (CNEL)—typically prepared for airports.
 - Noise exposure in areas beyond the outermost contours can also be annoying and regarded as locally significant. These are generally described under the heading of *overflight* impacts.
- **Safety Impacts**—Two types of aviation-related safety concerns affect land uses near airports:
 - Concerns directed toward minimizing the severity of an aircraft accident by limiting the types of land uses near an airport. (Most compatibility plans simply list this concern under the heading of *safety*.)
 - Concerns regarding land uses that can create hazards to flight. *Airspace protection* primarily involves limitations on the height of objects on the ground near airports. Other concerns include activities which can cause electronic or visual impairments to navigation or attract large numbers of birds.

Geographic Scope: Planning Boundaries

Chapter 3 contains an assessment of factors to be considered in defining the planning area boundary.



See the discussion on page 2-12 regarding the steps which ALUCs must take in adoption of planning boundaries.

Many ALUCs call these planning boundaries *airport areas of influence* or *airport influence areas*. They are also sometimes called *referral area boundaries* in that they set the limits of the area within which proposed land use projects are to be referred to the commission for review.

With certain exceptions, planning area boundaries are determined by:

- The location and configuration of the airport or airports included in the plan; and
- The extent of the noise and safety impacts associated with each airport.

The principal exception is that, with respect to review of proposals for new airports, the geographic scope of ALUC responsibilities extends to anywhere within the county or counties of the ALUC's jurisdiction. Some ALUCs also extend their planning area boundaries to include review of proposed construction, regardless of proximity to an airport, when such construction requires Federal Aviation Administration airspace hazard review under Part 77 of the Federal Aviation Regulations (when not near an airport, such objects generally must be more than 200 feet tall).

Scope of ALUC Review

Compatibility plans should clearly describe the scope of ALUCs' authority and responsibility for conducting project reviews.

Types of Actions Reviewed by ALUCs

Review of local actions pertaining to airport land use compatibility is one of the fundamental reasons for the formation of ALUCs. These local actions

fall into two broad groups:

- Local land use plans, projects, and related actions; and
- Airport and heliport plans, including master plans, expansion plans, and plans for construction of a new facility.

Compatibility plan policies should clearly specify the types of actions in each of these categories which are to be submitted to the commission for review. The plan should indicate that submittal of some types of actions is mandatory, while others may be voluntary under certain circumstances. Also important to note is that actions submitted for review on a voluntary basis are generally not subject to the need for overruling in the event that the local agency disagrees with the ALUC's evaluation.

See Chapter 4 for a more detailed discussion of the types of actions to be reviewed by ALUCs and the conditions under which these reviews are mandatory or voluntary.

Review Procedures

The procedures which the ALUC will use in reviewing local actions should be defined in the plan. Among the procedural matters which should be addressed are:

- The types of project information needed to be submitted;
- When an action should be submitted relative to the overall approval process of the local jurisdiction;
- ALUC staff responsibilities, if any, for certain project reviews; and
- The choice of actions available to the ALUC when reviewing a project.

The topic of ALUC review procedures is more fully addressed in Chapter 4.

Compatibility Plan Content

State law provides only limited guidance regarding the specific components of compatibility plans. Consequently, the contents of airport land use compatibility plans vary considerably from one ALUC to another. Nevertheless, certain elements are, or should be, included in every plan. Most important is a clear statement of compatibility criteria and ALUC review procedures. The various scoping issues discussed above also should be addressed. Other compatibility plan elements serve more in a background or supporting capacity or can be considered optional.

Tables 2A and 2B provide checklists of the mandatory and optional contents of compatibility plans, respectively. The listing is based not only upon the law itself, but upon the typical contents of the plans which ALUCs have prepared. Included are references to sections within this chapter, or in Chapters 3 and 4, where more detailed discussion of the various components can be found.

ADOPTION PROCESS

Involvement of Local Agencies

As a practical matter, data and other input from local agencies is essential to preparation of airport land use compatibility plans. Adoption and, ultimately, successful implementation of compatibility plans, though, requires

ALUC adoption or amendment of a compatibility plan begins a statutory 180-day time period within which the county and affected cities must either amend their general plans and applicable specific plans to be consistent with the ALUC's compatibility plan or make appropriate findings and overrule the ALUC. This process is addressed in Chapters 4 and 5.

that this cooperation between ALUCs and affected local land use jurisdictions be continued beyond the plan development stage. During the compatibility plan review and adoption process, the involvement of local agencies typically occurs in two ways.

Informal Negotiations

In many cases, the majority of issues which arise during the review of a draft compatibility plan result more from lack of clarity in proposed policies than from fundamental disagreements over the policy objectives. Informal negotiations between the affected jurisdictions and the ALUC frequently can resolve many of these issues. At least initially, these negotiations ordinarily can take place at the staff level, then involve elected county and city officials and commission members at a later date.

Other disagreements are more substantive. Conflicts may occur because ALUCs and local jurisdictions have different objectives with respect to planning for land uses around airports. For ALUCs, protection of the airports from incompatible development is paramount. For counties and cities, the community needs for new development are also factors in land use decisions. Despite these differences, achieving a mutually acceptable compatibility plan is a desirable goal. Often this means seeking a compromise set of compatibility policies which will adequately protect the airports from incompatible land uses, yet reasonably respond to communities' development needs. When ALUC adoption of compatibility policies and criteria results in local agency overruling actions, little is accomplished to promote airport land use compatibility objectives.

Formal Consultation Requirements

Formal consultation between ALUCs and affected local jurisdictions is mandatory at only one step of the compatibility plan preparation and adoption process. Specifically, state law (Section 21675(c)) requires that ALUCs establish planning area boundaries "after hearing and consultation with the involved agencies." This requirement comes into play any time a new compatibility plan is proposed for adoption or an existing plan is proposed to be amended in a manner which would modify the planning boundaries (the airport area of influence).

The statutes do not indicate what is meant by "consultation" in this context nor when consultation should occur relative to adoption or amendment of a compatibility plan. However, if new or amended planning boundaries are proposed for adoption, simple discussions with the staff of affected jurisdictions may not be sufficient. Caution suggests that ALUCs should afford elected officials of those jurisdictions the opportunity to meet jointly with the commission to discuss planning boundaries and other compatibility issues. At a minimum, ALUC staff or consultants should offer to make a presentation about the plan to the elected body if the jurisdiction desires.

ALUC review and adoption of planning boundaries need not be a separate process from adoption of a compatibility plan itself. Consultation with



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GUIDANCE

ALUCs are advised not to overlook this consultation requirement. Omission of this step can invalidate the adoption of a compatibility plan.

For additional guidance see:	The following items should be addressed in all ALUC compatibility plans:
Page 1-1	<ul style="list-style-type: none"> ► Scope of the Plan—In a preface or introductory chapter, provide a clear statement describing the scope and function of the plan. Specifically: <ul style="list-style-type: none"> ▪ <i>Authority and Purpose</i>: Refer to state statutes which authorize establishment of ALUCs and require preparation of compatibility plans. The plan's purpose can be defined in terms of its intended uses and objectives.
Page 2-4	<ul style="list-style-type: none"> ▪ <i>Airport Identification</i>: List the airports addressed by the plan.
Pages 1-3, 2-5, 2-10	<ul style="list-style-type: none"> ▪ <i>Geographic Coverage</i>: Provide a general description of the geographic extent of the plan; refer to policies chapter(s) for detailed mapping.
Pages 1-11, 2-5, 4-6	<ul style="list-style-type: none"> ▪ <i>Jurisdictions Affected</i>: Identify which local jurisdictions—the county and the specific incorporated cities—are affected by the provisions of the plan. The relationship of the ALUC's plan to the plans of local jurisdictions also may be valuable to describe.
Page 1-2	<ul style="list-style-type: none"> ▪ <i>Limitations of the Plan</i>: Note the limitations on ALUC jurisdiction over existing land uses and airport operations as stated in the law and applied by the individual ALUC.
Page 2-5	<ul style="list-style-type: none"> ► Airport Information—Include essential information about the subject airport(s) as necessary to document that the compatibility plan is based upon an adopted airport master plan or an airport layout plan approved by the Division of Aeronautics. Emphasize the aspects of the airport plan which affect off-airport land use compatibility. <ul style="list-style-type: none"> ▪ <i>Planning Status</i>: Indicate the master plan adoption date or, alternatively, refer to documentation from the Division of Aeronautics approving an airport layout plan as the basis for compatibility planning.
Page 2-6	<ul style="list-style-type: none"> ▪ <i>Layout Plan</i>: Include a copy of the official airport layout plan or a more schematic scale drawing such as the one included on FAA Airport Master Record (5010) forms. At a minimum, show the configuration and dimensions of the runways, size and shape of runway protection zones, and location of airport boundaries. Also show planned changes to any of these airport components.
Page 2-8	<ul style="list-style-type: none"> ▪ <i>Airport Activity</i>: Document existing and projected airport operational levels. Include data indicating the known or estimated distribution of operations by type of aircraft, time of day, and runway used. As necessary, extend forecasts included in adopted master plans to ensure that the compatibility plan reflects the anticipated growth of airport activity for at least a 20-year period.
Pages 3-3, 7-21	<ul style="list-style-type: none"> ► Compatibility Policies and Criteria—State all policies and criteria as clearly, precisely, and completely as possible, preferably in a chapter or section separate from background information. As appropriate, use tables to present primary criteria. Address each type of compatibility concern whether separately or in a composite set of criteria: <ul style="list-style-type: none"> ▪ <i>Noise</i>: Indicate maximum normally acceptable exterior noise levels for new residential and other noise-sensitive land uses. Note interior noise level standards.
Pages 3-5, 7-34	<ul style="list-style-type: none"> ▪ <i>Overflight</i>: Indicate how aircraft overflight annoyance concerns are addressed.
Pages 3-7, 9-42	<ul style="list-style-type: none"> ▪ <i>Safety</i>: Indicate maximum acceptable land use densities and intensities and the manner in which they are to be measured. List any uses explicitly prohibited from certain zones.
Pages 3-8, 9-56	<ul style="list-style-type: none"> ▪ <i>Airspace Protection</i>: Note reliance upon FAR Part 77 (and TERPS if relevant). If applicable, indicate policies addressing objects where ground level exceeds Part 77 criteria. List criteria regarding bird strike hazards and electronic and visual hazards to flight.
Page 7-18	<ul style="list-style-type: none"> ► Compatibility Zone Maps—For each airport, provide a compatibility zone map or maps. On base map, identify roads, water courses, section lines, and other major natural and man-made features. <ul style="list-style-type: none"> ▪ <i>Noise Contours</i>: Show noise contours to be used for planning purposes.
Page 7-35	<ul style="list-style-type: none"> ▪ <i>Safety Zones</i>: If compatibility policies are based on separate assessment of compatibility concerns, indicate boundaries and dimensions of safety zones. When basing zones on guidelines in Chapter 9 of this <i>Handbook</i>, make adjustments as appropriate to reflect traffic pattern locations and other factors particular to each individual airport.

TABLE 2A

Checklist of Compatibility Plan Contents

Essential Elements

Page 9-56	<ul style="list-style-type: none"> ■ <i>Airspace Protection Surfaces</i>: Include map derived from FAR Part 77 standards indicating allowable heights of objects relative to the airport elevation. Indicate locations where ground exceeds these limits. Base map should show topography.
Page 3-10	<ul style="list-style-type: none"> ■ <i>Composite Compatibility Zones</i>: When using compatibility criteria representing a composite of the above individual compatibility concerns, provide a map showing the boundaries of each zone. When the boundaries do not follow geographic features, indicate distances of boundaries from the airport runways.
Pages 2-10, 3-15	<ul style="list-style-type: none"> ■ <i>Airport Influence Area</i>: Clearly identify the overall the influence (planning) area boundary for each airport.
Pages 2-10, 4-1	<ul style="list-style-type: none"> ➤ Procedural Policies—List policies delineating the process the ALUC will use in reviewing local actions. (Alternatively, procedural policies can be set forth in the commission's rules and regulations.) ■ <i>Types of Actions Reviewed</i>: List the types of local planning actions which are to be submitted for ALUC review. Distinguish between actions for which reviews are mandatory and those for which reviews depend upon agreement with the local agency involved.
Page 4-11	<ul style="list-style-type: none"> ■ <i>Project Information</i>: List the types of information to be included when a project or action is submitted for ALUC review.
Page 4-12	<ul style="list-style-type: none"> ■ <i>Timing of Review</i>: Define the timing of ALUC reviews relative to local processing of a project and the time limits within which the ALUC must respond.
Page 1-16	<ul style="list-style-type: none"> ■ <i>ALUC Staff Responsibilities</i>: Define staff responsibilities for preliminary review of projects. Indicate whether staff can complete reviews of actions submitted based on agreement with affected jurisdictions.
Page 4-13	<ul style="list-style-type: none"> ■ <i>ALUC Action Choices</i>: Indicate whether the ALUC will base its findings of a project's consistency or inconsistency with compatibility criteria solely on the project description as submitted or whether the commission may make a finding of consistency subject to attached conditions.
Pages 4-16, 5-2	<ul style="list-style-type: none"> ➤ Initial Review of General Plan Consistency—Provide an initial assessment of the general plans, specific plans, and relevant land use ordinances and regulations of affected local jurisdictions relative to the compatibility plan as of the when the latter plan is adopted. Identify any direct conflicts needing to be resolved as well as criteria and procedures which need to be defined in order for the local plans to be considered fully consistent with the compatibility plan.

TABLE 2A, CONTINUED

For additional guidance see:	The following items, although not essential components of a compatibility plan, may provide helpful additional information for commission members, their staff, and others who use the plan:
Page 3-19	<ul style="list-style-type: none"> ➤ Land Use Information—Include maps such as the following: <ul style="list-style-type: none"> ▪ <i>Existing Land Use Development</i>: Show locations in the airport vicinity where development exists or has been approved. Alternatively, include a high-altitude aerial photograph of the area. ▪ <i>Planned Land Uses</i>: Include a copy of current general plan land use maps or a simplified version combining planned land use data from multiple jurisdictions.
Page 4-6	
Page 3-1	<ul style="list-style-type: none"> ➤ Discussion of Compatibility Issues—Discuss the basic concepts and rationale behind the compatibility policies and criteria. Much information useful for this purpose is included in this <i>Handbook</i>. ➤ Local Government Action Choices—Outline basic options available to affected local jurisdictions for making their general plans consistent with the compatibility plan. Provide sample implementation documents such as: <ul style="list-style-type: none"> ▪ <i>Methods for Calculating Usage Intensities</i>: Include methodologies for how the number of people per acre can be calculated for nonresidential development. ▪ <i>Sample Buyer Awareness Measures</i>: Provide typical language for navigation easements and deed notices if applicable to the compatibility plan. ▪ <i>Airport Combining Zoning Ordinance</i>: Describe possible components of an airport combining zoning ordinance which local jurisdictions could adopt as partial means of complying with general plan consistency requirements.
Page 9-51, Appendix C	
Page 7-38, Appendix D	
Appendix D	
Appendix A	<ul style="list-style-type: none"> ➤ Supporting Materials—For quick reference, include: <ul style="list-style-type: none"> ▪ <i>ALUC Statutes in State Aeronautics Act</i>: Provide a copy of the current state laws pertaining to airport land use commissions. Indicate the date of the latest revisions included in the copy provided. ▪ <i>Federal Aviation Regulations Part 77</i>: Provide a copy of these regulations governing objects affecting navigable airspace. ▪ <i>Glossary</i>: Prepare a glossary of common aviation terms, particularly those associated with airport land use compatibility planning topics.
Appendix B	
Appendix I	

TABLE 2B

Checklist of Compatibility Plan Contents

Optional Elements

affected jurisdictions can be scheduled to coincide with review of a draft compatibility plan. Once an ALUC has consulted with these jurisdictions (or the jurisdictions have declined interest), the commission is free to adopt the planning boundaries it believes are supported by evidence as to airport's impact on the surrounding community. It is essential, though, that the intent to adopt new or revised planning boundaries be specifically identified in public hearing notices and plan adoption resolutions.

Plan Amendments

State law (Section 21675(a)) limits amendment of a compatibility plan to no more than once per calendar year. For compatibility plans which pertain to more than one airport, this limitation can be interpreted as allowing separate amendments for the portion dealing with each individual airport. Any policies applicable to all airports in the ALUC's jurisdiction can be amended only once during a year.

This same section of the law also states that a compatibility plan "shall be reviewed as often as necessary in order to accomplish its purpose." A periodic reexamination of the entire plan is strongly encouraged as a means of keeping it up to date with changes in state laws, local land uses, airport development and activity, and current concepts for achieving noise and safety compatibility. Depending upon the rapidity with which these changes occur, a thorough review is appropriate every five to ten years.

As with the initial adoption of the compatibility plan, the local jurisdiction again has 180 days within which to amend its plans to be consistent with the compatibility plan or to approve findings and overrule the ALUC.

The review and amendment process should follow essentially the same steps as noted above for the original adoption process. Certain steps generally can be simplified if the changes to the plan are relatively minor. Coordination with local jurisdictions is nevertheless still important, particularly if the changes involve influence area boundary changes or affect the consistency with local general plans.

Environmental Document Requirements

One of the decisions which ALUCs and their staffs need to make in conjunction with adoption or amendment of a compatibility plan is what action to take with respect to California Environmental Quality Act (CEQA) compliance. ALUCs have historically taken a variety of different approaches to CEQA. The most fundamental distinction among these approaches concerns whether CEQA applies to adoption of a compatibility plan. In contrast with the statutes governing other special purpose local agencies (local agency formation commissions, for example) where a link to CEQA is explicitly made in state statutes, ALUC statutes provide no guidance on this issue.

CEQA Document Approach

CEQA statutes and guidelines are very broadly written. The intent of CEQA is to encompass all public planning activities that might have physical effects. Although compatibility plans could cause physical effects only indirectly, there is certainly the potential that such effects could occur.



Legal opinion on this topic diverges greatly and there is currently little case law. ALUCs are therefore strongly encouraged to consult their respective legal counsel when considering which CEQA action to take in conjunction with adoption or amendment of compatibility plans.

Given these factors, the cautious approach taken by most ALUCs when adopting or amending a compatibility plan is to prepare CEQA documentation. The two options in this regard are:

- An Initial Study and Negative Declaration (or Mitigated Negative Declaration); or
- An Environmental Impact Report.

► **Initial Study/Negative Declaration**—Preparation of an Initial Study and a Negative Declaration (or Mitigated Negative Declaration) is the CEQA route most commonly taken by ALUCs when adopting a compatibility plan. In reviewing the environmental impacts of a compatibility plan, most impact categories clearly do not apply. Those that have some application—noise, safety, land use and housing, in particular—are usually examined rather briefly. Of these, the topic most likely to trigger the need for thorough analysis is housing supply. If implementation of ALUC policies would substantially reduce the amount of new housing which could be built in a community in accordance with the current general plan, the impact may need to be analyzed and mitigation identified. In this situation, either a mitigated negative declaration or an environmental impact report would need to be prepared.

► **Environmental Impact Report**—Most of the compatibility plans for which EIRs are written are ones prepared in conjunction with a local specific plan or an airport master plan for which an EIR is necessary. Occasionally an ALUC will prepare an EIR simply as means of addressing the concerns of local agencies and landowners over the implications of the compatibility plan. Generally, only unusual circumstances would require preparation of an EIR for a compatibility plan.

CEQA Exemption Approach

Legal counsel for some ALUCs have concluded that adoption of compatibility plans does not require review under CEQA. These determinations have been based upon the opinion that compatibility plans fall within the definitions of either a general or categorical exemption.

► **General Exemption**—Some ALUCs have regarded adoption of a compatibility plan to be statutorily exempt from CEQA regulations. This view has been based upon a determination that adoption of a compatibility plan is not a “project” as defined in CEQA. To be a project, an action undertaken by a public agency must be one that “may cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.” Given airport land use commissions’ lack of direct authority over land use, CEQA is potentially applicable only where an ALUC’s action may cause a reasonably foreseeable indirect physical change in the environment.

Typically, ALUC compatibility plans define the parameters for future development. These parameters may include: exclusion of certain uses, limitations on residential densities and nonresidential occupancy levels,

site design requirements, and building height and other building design requirements. An ALUC's planning parameters serve to limit development. Within these limitations, cities and counties are free to determine the specific land uses. Also, these local agencies have the option of overruling the ALUC plan. It thus can be argued that ALUC adoption of a compatibility plan, in and of itself, does not necessarily lead to land use development, let alone any specific development. Moreover, to attempt to anticipate the type of development and the associated environmental impacts which might occur would be speculative. Under these circumstances, compatibility plan adoption might be considered as not being subject to the requirements of CEQA.

A similar position potentially can be taken with regard to ALUC amendment of an existing compatibility plan. The key difference is whether the amendment would permit greater development (e.g., additional uses, greater densities) than allowed under the existing compatibility plan. Where an amendment would not potentially increase permitted development, it could be possible to conclude that the amendment was not a "project" as defined in CEQA. However, if greater development would be possible with the amendment, the ALUC policy change potentially could lead to a reasonably foreseeable indirect physical change in the environment. ALUCs will need to carefully consider the specific circumstances of a compatibility plan amendment before concluding that it would not be a project under CEQA.

- **Categorical Exemption**—This approach relies upon one of the classes of categorical exclusions from CEQA which are listed in the CEQA guidelines. Class 8 consists of "actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment. Construction activities and relaxation of standards allowing environmental degradation are not included in this exemption." The argument made is that compatibility plans serve to protect the environment and are not plans for development. This exemption is not absolute. Unique circumstances—for example, an amendment which would relax the compatibility standards and thus allow additional development—would invalidate the exemption.

Public Notice and Hearing Requirements

The Aeronautics Act does not specifically require that an ALUC provide public notice or hold a public hearing in order to adopt a compatibility plan. Such measures exist elsewhere in state law, however, and in any case are generally prudent.

Public Notice

The only mention of public notice requirements in the ALUC statutes is with regard to ALUC action on land use proposals. Section 21675.2(d) says that: "Nothing in this section diminishes the commission's legal responsibility to provide, where applicable, public notice and hearing before acting on an

action, regulation, or permit.” By extension, this responsibility can be interpreted as applicable to adoption or amendment of compatibility plans. The question faced by ALUCs and their staffs then becomes one of deciding what type of public notification is appropriate.

The best guidance in this respect is for ALUCs to follow the same notice procedures as are applicable to general plans and specific plans. These requirements are set forth in the Government Code (in particular, Sections 65090, 65091, and 65353). Basically, notice must be sent to each affected property owner unless mailing of more than 1,000 such notices would be necessary. In this case, notice may be published in a newspaper of general circulation serving the area affected.

Since most compatibility plans—especially countywide plans covering multiple airports—involve more than 1,000 parcels, providing public notice by means of a local newspaper is common. Many ALUCs, though, find it desirable to supplement the newspaper notice with individual mailings to selected property owners. These owners are ones whose property development potential might be reduced by the compatibility plan. Such parcels include agricultural or other large parcels capable of subdivision under local zoning regulations and parcels zoned commercial or industrial on which usage intensity limitations would be applied. To the extent that a compatibility plan would not establish any new restrictions or limit the subdivision potential of existing residential lots, mailing of notices to the individual owners is normally unnecessary.

Public Hearings

ALUC public hearing requirements pertaining to adoption or amendment of compatibility plans arise only with respect to establishment of an airport planning area boundary. Other laws applicable to ALUCs also do not require the holding of a public hearing. The Brown Act requires only that ALUC meetings be open to the public, not that public input be received. Furthermore, nothing in the California Environmental Quality Act mandates a public hearing; public input can be limited to correspondence only. From a practical perspective, however, ALUCs are well advised to solicit public and local agency input before adopting a compatibility plan, even if a formal public hearing process is not utilized.



**DEPT. OF TRANSPORTATION
GUIDANCE**

ALUCs are encouraged to consider When providing public notice for proposed adoption or amendment of a compatibility plan, ALUCs should follow the same notice procedures as are applicable to general plans and specific plans.

